



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,093	08/04/2003	Naomasa Takahashi	09812.0348-00000	5881
22852	7590	08/29/2008		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER BECKER, SHASHI KAMALA	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 08/29/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/634,093

Applicant(s)

TAKAHASHI, NAOMASA

Examiner

Shashi K. Becker

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/23/08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-6 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-6 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/23/08 has been entered.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-6, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Mizutome et al (hereinafter Mizutome), US 2002/0078447.

- **In regards to claims 1, 5, 6, and 9,** Mizutome teaches an electronic apparatus comprising: a display controlling means for controlling the display of an image on a screen (Figure 19 and 20); a storing means for storing a plurality of types of constitutive elements for generating a program for displaying an image the screen, and for storing display information for a constitutive element from the plurality of types of constitutive elements (Figure 19 and 20); a first selection means for selecting a screen layout from a plurality of screen layout

options that are consecutively displayed (page 4 paragraph [0081]); a generation means for generating a new image including the selected screen layout (page 6 paragraphs [0103]-[0106], wherein when a screen layout is selected it is then generated as a new image); and a second selection means for selecting a first constitutive element displayed within a first constitutive element selection area of the new image (page 8 paragraphs [0122]-[0125], Figures 18A-C and 22, wherein the second selection means of a first constitutive element is choosing a channel on TV to be displayed and the first selection area is the main display (Fig. 18C, "News TV1)), and a second constitutive element displayed within a second constitutive element selection area of the new image, wherein the second constitutive element selection area displays more than one source of information (page 8 paragraphs [0122]-[0125], Figures 18A-C and 22, wherein the second constitutive element is choosing another channel on TV to be displayed and the second selection area is a smaller corner display (Fig. 18C, "News headlines" or "weather forecast," and wherein more than one source of information is the "clock display" in the second constitutive element selection area (Fig. 18C))), and the generation means generates the program (page 3 paragraph 0073)].

- **In regards to claim 4,** Mizutome teaches wherein the storing means stores a program generated by the generation means (page 4 paragraph [0083] and page 5 paragraphs [0094] and [0095]).

Response to Arguments

Applicant's arguments filed 6/26/08 have been fully considered but they are not persuasive.

Applicant argues that Mizutome does not teach a second selection means and second constitutive element.

Examiner disagrees. Mizutome does teach a second selection means and second constitutive element. Mizutome teaches a second selection means wherein a first constitutive element is choosing an input/TV channel in one of the windows of the selected screen layout option chosen by the user (page 8 paragraphs [0122]-[0125], Figures 18A-C and 22). Mizutome further teaches a second constitutive element in a second constitutive element selection area. The second constitutive element is a second input source (i.e. another TV channel, email, etc.) in one of the other area windows (Figures 18A-C and Figure 22) in the layout selection chosen by the user (page 8 paragraphs [0122]-[0125]). Therefore, Mizutome meets the claimed limitations.

Applicant argues that Mizutome does not teach "more than once source of information."

Examiner disagrees. Mizutome does teach "more than once source of information." Mizutome teaches that more than one source of information can be displayed within a window/area of the screen (page 8 paragraphs [0122]-[0125] and Figure 18C, wherein the first constitutive element area is the main screen "News TV1" and the second constitutive element area is a smaller window "news headlines" or "weather forecast" and wherein more than once source of information can be shown inside these smaller windows (i.e. the "clock display" in the "news headlines" area)).

Furthermore, Examiner points out that the Applicant **does not claim** a source input, but claims a source **of** information instead. Therefore, Mizutome meets the claimed limitations of 1, 5, 6, and 9 and its respective dependents.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shashi K. Becker whose telephone number is 571-272-8919. The examiner can normally be reached on Mon-Fri 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Shashi K Becker/

Application/Control Number: 10/634,093

Page 6

Art Unit: 2179

Examiner, Art Unit 2179

/Ba Huynh/

Primary Examiner, Art Unit 2179